

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TIMOTHY W. SCHILLACI,

Plaintiff,

v.

CARGILL MEAT SOLUTIONS,

Defendant.

CIVIL ACTION NO. 3:CV-12-561

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 17<sup>th</sup> day of December, 2012, **IT IS HEREBY ORDERED** that:

- (1) Defendant Cargill Meat Solutions' Partial Motion to Dismiss the Amended Complaint (Doc. 18) is **GRANTED**.
- (2) Plaintiff Timothy W. Schillaci's claims for age discrimination and wrongful discharge are **DISMISSED with prejudice**.
- (3) Plaintiff's failure to accommodate claims are **DISMISSED without prejudice**. Plaintiff has **twenty-one (21) days** from the date of entry of this Order to properly plead his failure to accommodate claims; otherwise, the claims will be dismissed with prejudice.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge